

1 SHEPHERD, FINKELMAN, MILLER & SHAH, LLP  
2 JAMES C. SHAH (SBN 260435)  
3 ROSE F. LUZON (SBN 221544)  
4 401 West A Street, Suite 2350  
5 San Diego, CA 92101  
Telephone: (619) 235-2416  
Facsimile: (866) 300-7367  
jshah@sfmslaw.com  
rluzon@sfmslaw.com

6 CHIMICLES & TIKELLIS, LLP  
7 STEVEN A. SCHWARTZ (pro hac vice)  
TIMOTHY N. MATHEWS (pro hac vice)  
361 West Lancaster Avenue  
8 Haverford, PA 19041  
Telephone: (610) 642-8500  
Facsimile: (610) 649-3633  
SteveSchwartz@chimicles.com  
TimothyMathews@chimicles.com

11 Attorneys for Plaintiff and on Behalf  
of All Others Similarly Situated

13 **IN THE UNITED STATES DISTRICT COURT**  
14 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**  
15 MICHAEL RODMAN, On Behalf Of Himself ) Case No.: 3:11-cv-03003 JST (JCS)  
16 and All Others Similarly Situated, )  
17 Plaintiff, ) **PLAINTIFF'S ADMINISTRATIVE**  
18 vs. ) **MOTION RE SEALING OF**  
19 SAFEWAY, INC., ) **DOCUMENTS PURSUANT TO CIV.**  
20 Defendant. ) **L.R. 7-11 AND 79-5 [FOR PLAINTIFF'S**  
21 ) **MOTION FOR DISCOVERY SANCTIONS]**  
22 )  
23 ) Date: June 16, 2016  
24 ) Time: 2:00 p.m.  
25 ) Crtrm.: 9 – 19th Floor  
26 ) Trial Date: October 5, 2015  
27 ) Judge: Hon. Jon S. Tigar  
28 )  
29 ) Complaint filed: June 17, 2011  
30 )  
31 )  
32 )  
33 )  
34 )  
35 )  
36 )  
37 )  
38 )  
39 )  
40 )  
41 )  
42 )  
43 )  
44 )  
45 )  
46 )  
47 )  
48 )  
49 )  
50 )  
51 )  
52 )  
53 )  
54 )  
55 )  
56 )  
57 )  
58 )  
59 )  
60 )  
61 )  
62 )  
63 )  
64 )  
65 )  
66 )  
67 )  
68 )  
69 )  
70 )  
71 )  
72 )  
73 )  
74 )  
75 )  
76 )  
77 )  
78 )  
79 )  
80 )  
81 )  
82 )  
83 )  
84 )  
85 )  
86 )  
87 )  
88 )  
89 )  
90 )  
91 )  
92 )  
93 )  
94 )  
95 )  
96 )  
97 )  
98 )  
99 )  
100 )  
101 )  
102 )  
103 )  
104 )  
105 )  
106 )  
107 )  
108 )  
109 )  
110 )  
111 )  
112 )  
113 )  
114 )  
115 )  
116 )  
117 )  
118 )  
119 )  
120 )  
121 )  
122 )  
123 )  
124 )  
125 )  
126 )  
127 )  
128 )  
129 )  
130 )  
131 )  
132 )  
133 )  
134 )  
135 )  
136 )  
137 )  
138 )  
139 )  
140 )  
141 )  
142 )  
143 )  
144 )  
145 )  
146 )  
147 )  
148 )  
149 )  
150 )  
151 )  
152 )  
153 )  
154 )  
155 )  
156 )  
157 )  
158 )  
159 )  
160 )  
161 )  
162 )  
163 )  
164 )  
165 )  
166 )  
167 )  
168 )  
169 )  
170 )  
171 )  
172 )  
173 )  
174 )  
175 )  
176 )  
177 )  
178 )  
179 )  
180 )  
181 )  
182 )  
183 )  
184 )  
185 )  
186 )  
187 )  
188 )  
189 )  
190 )  
191 )  
192 )  
193 )  
194 )  
195 )  
196 )  
197 )  
198 )  
199 )  
200 )  
201 )  
202 )  
203 )  
204 )  
205 )  
206 )  
207 )  
208 )  
209 )  
210 )  
211 )  
212 )  
213 )  
214 )  
215 )  
216 )  
217 )  
218 )  
219 )  
220 )  
221 )  
222 )  
223 )  
224 )  
225 )  
226 )  
227 )  
228 )  
229 )  
230 )  
231 )  
232 )  
233 )  
234 )  
235 )  
236 )  
237 )  
238 )  
239 )  
240 )  
241 )  
242 )  
243 )  
244 )  
245 )  
246 )  
247 )  
248 )  
249 )  
250 )  
251 )  
252 )  
253 )  
254 )  
255 )  
256 )  
257 )  
258 )  
259 )  
260 )  
261 )  
262 )  
263 )  
264 )  
265 )  
266 )  
267 )  
268 )  
269 )  
270 )  
271 )  
272 )  
273 )  
274 )  
275 )  
276 )  
277 )  
278 )  
279 )  
280 )  
281 )  
282 )  
283 )  
284 )  
285 )  
286 )  
287 )  
288 )  
289 )  
290 )  
291 )  
292 )  
293 )  
294 )  
295 )  
296 )  
297 )  
298 )  
299 )  
300 )  
301 )  
302 )  
303 )  
304 )  
305 )  
306 )  
307 )  
308 )  
309 )  
310 )  
311 )  
312 )  
313 )  
314 )  
315 )  
316 )  
317 )  
318 )  
319 )  
320 )  
321 )  
322 )  
323 )  
324 )  
325 )  
326 )  
327 )  
328 )  
329 )  
330 )  
331 )  
332 )  
333 )  
334 )  
335 )  
336 )  
337 )  
338 )  
339 )  
340 )  
341 )  
342 )  
343 )  
344 )  
345 )  
346 )  
347 )  
348 )  
349 )  
350 )  
351 )  
352 )  
353 )  
354 )  
355 )  
356 )  
357 )  
358 )  
359 )  
360 )  
361 )  
362 )  
363 )  
364 )  
365 )  
366 )  
367 )  
368 )  
369 )  
370 )  
371 )  
372 )  
373 )  
374 )  
375 )  
376 )  
377 )  
378 )  
379 )  
380 )  
381 )  
382 )  
383 )  
384 )  
385 )  
386 )  
387 )  
388 )  
389 )  
390 )  
391 )  
392 )  
393 )  
394 )  
395 )  
396 )  
397 )  
398 )  
399 )  
400 )  
401 )  
402 )  
403 )  
404 )  
405 )  
406 )  
407 )  
408 )  
409 )  
410 )  
411 )  
412 )  
413 )  
414 )  
415 )  
416 )  
417 )  
418 )  
419 )  
420 )  
421 )  
422 )  
423 )  
424 )  
425 )  
426 )  
427 )  
428 )  
429 )  
430 )  
431 )  
432 )  
433 )  
434 )  
435 )  
436 )  
437 )  
438 )  
439 )  
440 )  
441 )  
442 )  
443 )  
444 )  
445 )  
446 )  
447 )  
448 )  
449 )  
450 )  
451 )  
452 )  
453 )  
454 )  
455 )  
456 )  
457 )  
458 )  
459 )  
460 )  
461 )  
462 )  
463 )  
464 )  
465 )  
466 )  
467 )  
468 )  
469 )  
470 )  
471 )  
472 )  
473 )  
474 )  
475 )  
476 )  
477 )  
478 )  
479 )  
480 )  
481 )  
482 )  
483 )  
484 )  
485 )  
486 )  
487 )  
488 )  
489 )  
490 )  
491 )  
492 )  
493 )  
494 )  
495 )  
496 )  
497 )  
498 )  
499 )  
500 )  
501 )  
502 )  
503 )  
504 )  
505 )  
506 )  
507 )  
508 )  
509 )  
510 )  
511 )  
512 )  
513 )  
514 )  
515 )  
516 )  
517 )  
518 )  
519 )  
520 )  
521 )  
522 )  
523 )  
524 )  
525 )  
526 )  
527 )  
528 )  
529 )  
530 )  
531 )  
532 )  
533 )  
534 )  
535 )  
536 )  
537 )  
538 )  
539 )  
540 )  
541 )  
542 )  
543 )  
544 )  
545 )  
546 )  
547 )  
548 )  
549 )  
550 )  
551 )  
552 )  
553 )  
554 )  
555 )  
556 )  
557 )  
558 )  
559 )  
560 )  
561 )  
562 )  
563 )  
564 )  
565 )  
566 )  
567 )  
568 )  
569 )  
570 )  
571 )  
572 )  
573 )  
574 )  
575 )  
576 )  
577 )  
578 )  
579 )  
580 )  
581 )  
582 )  
583 )  
584 )  
585 )  
586 )  
587 )  
588 )  
589 )  
590 )  
591 )  
592 )  
593 )  
594 )  
595 )  
596 )  
597 )  
598 )  
599 )  
600 )  
601 )  
602 )  
603 )  
604 )  
605 )  
606 )  
607 )  
608 )  
609 )  
610 )  
611 )  
612 )  
613 )  
614 )  
615 )  
616 )  
617 )  
618 )  
619 )  
620 )  
621 )  
622 )  
623 )  
624 )  
625 )  
626 )  
627 )  
628 )  
629 )  
630 )  
631 )  
632 )  
633 )  
634 )  
635 )  
636 )  
637 )  
638 )  
639 )  
640 )  
641 )  
642 )  
643 )  
644 )  
645 )  
646 )  
647 )  
648 )  
649 )  
650 )  
651 )  
652 )  
653 )  
654 )  
655 )  
656 )  
657 )  
658 )  
659 )  
660 )  
661 )  
662 )  
663 )  
664 )  
665 )  
666 )  
667 )  
668 )  
669 )  
670 )  
671 )  
672 )  
673 )  
674 )  
675 )  
676 )  
677 )  
678 )  
679 )  
680 )  
681 )  
682 )  
683 )  
684 )  
685 )  
686 )  
687 )  
688 )  
689 )  
690 )  
691 )  
692 )  
693 )  
694 )  
695 )  
696 )  
697 )  
698 )  
699 )  
700 )  
701 )  
702 )  
703 )  
704 )  
705 )  
706 )  
707 )  
708 )  
709 )  
710 )  
711 )  
712 )  
713 )  
714 )  
715 )  
716 )  
717 )  
718 )  
719 )  
720 )  
721 )  
722 )  
723 )  
724 )  
725 )  
726 )  
727 )  
728 )  
729 )  
730 )  
731 )  
732 )  
733 )  
734 )  
735 )  
736 )  
737 )  
738 )  
739 )  
740 )  
741 )  
742 )  
743 )  
744 )  
745 )  
746 )  
747 )  
748 )  
749 )  
750 )  
751 )  
752 )  
753 )  
754 )  
755 )  
756 )  
757 )  
758 )  
759 )  
760 )  
761 )  
762 )  
763 )  
764 )  
765 )  
766 )  
767 )  
768 )  
769 )  
770 )  
771 )  
772 )  
773 )  
774 )  
775 )  
776 )  
777 )  
778 )  
779 )  
770 )  
771 )  
772 )  
773 )  
774 )  
775 )  
776 )  
777 )  
778 )  
779 )  
780 )  
781 )  
782 )  
783 )  
784 )  
785 )  
786 )  
787 )  
788 )  
789 )  
790 )  
791 )  
792 )  
793 )  
794 )  
795 )  
796 )  
797 )  
798 )  
799 )  
800 )  
801 )  
802 )  
803 )  
804 )  
805 )  
806 )  
807 )  
808 )  
809 )  
810 )  
811 )  
812 )  
813 )  
814 )  
815 )  
816 )  
817 )  
818 )  
819 )  
820 )  
821 )  
822 )  
823 )  
824 )  
825 )  
826 )  
827 )  
828 )  
829 )  
830 )  
831 )  
832 )  
833 )  
834 )  
835 )  
836 )  
837 )  
838 )  
839 )  
840 )  
841 )  
842 )  
843 )  
844 )  
845 )  
846 )  
847 )  
848 )  
849 )  
850 )  
851 )  
852 )  
853 )  
854 )  
855 )  
856 )  
857 )  
858 )  
859 )  
860 )  
861 )  
862 )  
863 )  
864 )  
865 )  
866 )  
867 )  
868 )  
869 )  
870 )  
871 )  
872 )  
873 )  
874 )  
875 )  
876 )  
877 )  
878 )  
879 )  
880 )  
881 )  
882 )  
883 )  
884 )  
885 )  
886 )  
887 )  
888 )  
889 )  
880 )  
881 )  
882 )  
883 )  
884 )  
885 )  
886 )  
887 )  
888 )  
889 )  
890 )  
891 )  
892 )  
893 )  
894 )  
895 )  
896 )  
897 )  
898 )  
899 )  
900 )  
901 )  
902 )  
903 )  
904 )  
905 )  
906 )  
907 )  
908 )  
909 )  
910 )  
911 )  
912 )  
913 )  
914 )  
915 )  
916 )  
917 )  
918 )  
919 )  
920 )  
921 )  
922 )  
923 )  
924 )  
925 )  
926 )  
927 )  
928 )  
929 )  
930 )  
931 )  
932 )  
933 )  
934 )  
935 )  
936 )  
937 )  
938 )  
939 )  
930 )  
931 )  
932 )  
933 )  
934 )  
935 )  
936 )  
937 )  
938 )  
939 )  
940 )  
941 )  
942 )  
943 )  
944 )  
945 )  
946 )  
947 )  
948 )  
949 )  
940 )  
941 )  
942 )  
943 )  
944 )  
945 )  
946 )  
947 )  
948 )  
949 )  
950 )  
951 )  
952 )  
953 )  
954 )  
955 )  
956 )  
957 )  
958 )  
959 )  
950 )  
951 )  
952 )  
953 )  
954 )  
955 )  
956 )  
957 )  
958 )  
959 )  
960 )  
961 )  
962 )  
963 )  
964 )  
965 )  
966 )  
967 )  
968 )  
969 )  
960 )  
961 )  
962 )  
963 )  
964 )  
965 )  
966 )  
967 )  
968 )  
969 )  
970 )  
971 )  
972 )  
973 )  
974 )  
975 )  
976 )  
977 )  
978 )  
979 )  
970 )  
971 )  
972 )  
973 )  
974 )  
975 )  
976 )  
977 )  
978 )  
979 )  
980 )  
981 )  
982 )  
983 )  
984 )  
985 )  
986 )  
987 )  
988 )  
989 )  
980 )  
981 )  
982 )  
983 )  
984 )  
985 )  
986 )  
987 )  
988 )  
989 )  
990 )  
991 )  
992 )  
993 )  
994 )  
995 )  
996 )  
997 )  
998 )  
999 )  
1000 )  
1001 )  
1002 )  
1003 )  
1004 )  
1005 )  
1006 )  
1007 )  
1008 )  
1009 )  
1000 )  
1001 )  
1002 )  
1003 )  
1004 )  
1005 )  
1006 )  
1007 )  
1008 )  
1009 )  
1010 )  
1011 )  
1012 )  
1013 )  
1014 )  
1015 )  
1016 )  
1017 )  
1018 )  
1019 )  
1010 )  
1011 )  
1012 )  
1013 )  
1014 )  
1015 )  
1016 )  
1017 )  
1018 )  
1019 )  
1020 )  
1021 )  
1022 )  
1023 )  
1024 )  
1025 )  
1026 )  
1027 )  
1028 )  
1029 )  
1020 )  
1021 )  
1022 )  
1023 )  
1024 )  
1025 )  
1026 )  
1027 )  
1028 )  
1029 )  
1030 )  
1031 )  
1032 )  
1033 )  
1034 )  
1035 )  
1036 )  
1037 )  
1038 )  
1039 )  
1030 )  
1031 )  
1032 )  
1033 )  
1034 )  
1035 )  
1036 )  
1037 )  
1038 )  
1039 )  
1040 )  
1041 )  
1042 )  
1043 )  
1044 )  
1045 )  
1046 )  
1047 )  
1048 )  
1049 )  
1040 )  
1041 )  
1042 )  
1043 )  
1044 )  
1045 )  
1046 )  
1047 )  
1048 )  
1049 )  
1050 )  
1051 )  
1052 )  
1053 )  
1054 )  
1055 )  
1056 )  
1057 )  
1058 )  
1059 )  
1050 )  
1051 )  
1052 )  
1053 )  
1054 )  
1055 )  
1056 )  
1057 )  
1058 )  
1059 )  
1060 )  
1061 )  
1062 )  
1063 )  
1064 )  
1065 )  
1066 )  
1067 )  
1068 )  
1069 )  
1060 )  
1061 )  
1062 )  
1063 )  
1064 )  
1065 )  
1066 )  
1067 )  
1068 )  
1069 )  
1070 )  
1071 )  
1072 )  
1073 )  
1074 )  
1075 )  
1076 )  
1077 )  
1078 )  
1079 )  
1070 )  
1071 )  
1072 )  
1073 )  
1074 )  
1075 )  
1076 )  
1077 )  
1078 )  
1079 )  
1080 )  
1081 )  
1082 )  
1083 )  
1084 )  
1085 )  
1086 )  
1087 )  
1088 )  
1089 )  
1080 )  
1081 )  
1082 )  
1083 )  
1084 )  
1085 )  
1086 )  
1087 )  
1088 )  
1089 )  
1090 )  
1091 )  
1092 )  
1093 )  
1094 )  
1095 )  
1096 )  
1097 )  
1098 )  
1099 )  
1090 )  
1091 )  
1092 )  
1093 )  
1094 )  
1095 )  
1096 )  
1097 )  
1098 )  
1099 )  
1100 )  
1101 )  
1102 )  
1103 )  
1104 )  
1105 )  
1106 )  
1107 )  
1108 )  
1109 )  
1100 )  
1101 )  
1102 )  
1103 )  
1104 )  
1105 )  
1106 )  
1107 )  
1108 )  
1109 )  
1110 )  
1111 )  
1112 )  
1113 )  
1114 )  
1115 )  
1116 )  
1117 )  
1118 )  
1119 )  
1110 )  
1111 )  
1112 )  
1113 )  
1114 )  
1115 )  
1116 )  
1117 )  
1118 )  
1119 )  
1120 )  
1121 )  
1122 )  
1123 )  
1124 )  
1125 )  
1126 )  
1127 )  
1128 )  
1129 )  
1120 )  
1121 )  
1122 )  
1123 )  
1124 )  
1125 )  
1126 )  
1127 )  
1128 )  
1129 )  
1130 )  
1131 )  
1132 )  
1133 )  
1134 )  
1135 )  
1136 )  
1137 )  
1138 )  
1139 )  
1130 )  
1131 )  
1132 )  
1133 )  
1134 )  
1135 )  
1136 )  
1137 )  
1138 )  
1139 )  
1140 )  
1141 )  
1142 )  
1143 )  
1144 )  
1145 )  
1146 )  
1147 )  
1148 )  
1149 )  
1140 )  
1141 )  
1142 )  
1143 )  
1144 )  
1145 )  
1146 )  
1147 )  
1148 )  
1149 )  
1150 )  
1151 )  
1152 )  
1153 )  
1154 )  
1155 )  
1156 )  
1157 )  
1158 )  
1159 )  
1150 )  
1151 )  
1152 )  
1153 )  
1154 )  
1155 )  
1156 )  
1157 )  
1158 )  
1159 )  
1160 )  
1161 )  
1162 )  
1163 )  
1164 )  
1165 )  
1166 )  
1167 )  
1168 )  
1169 )  
1160 )  
1161 )  
1162 )  
1163 )  
1164 )  
1165 )  
1166 )  
1167 )  
1168 )  
1169 )  
1170 )  
1171 )  
1172 )  
1173 )  
1174 )  
1175 )  
1176 )  
1177 )  
1178 )  
1179 )  
1170 )  
1171 )  
1172 )  
1173 )  
1174 )  
1175 )  
1176 )  
1177 )  
1178 )  
1179 )  
1180 )  
1181 )  
1182 )  
1183 )  
1184 )  
1185 )  
1186 )  
1187 )  
1188 )  
1189 )  
1180 )  
1181 )  
1182 )  
1183 )  
1184 )  
1185 )  
1186 )  
1187 )  
1188 )  
1189 )  
1190 )  
1191 )  
1192 )  
1193 )  
1194 )  
1195 )  
1196 )  
1197 )  
1198 )  
1199 )  
1190 )  
1191 )  
1192 )  
1193 )  
1194 )  
1195 )  
1196 )  
1197 )  
1198 )  
1199 )  
1200 )  
1201 )  
1202 )  
1203 )  
1204 )  
1205 )  
1206 )  
1207 )  
1208 )  
1209 )  
1200 )  
1201 )  
1202 )  
1203 )

1 Plaintiff, Michael Rodman (“Plaintiff”), hereby submits this Administrative Motion  
2 Pursuant to Civil Local Rules 7-11 and 79-5, the Court’s Standing Order Governing  
3 Administrative Motions to File Under Seal (“Standing Order”), and the Stipulated Protective  
4 Order (“Protective Order”) entered by the Court on August 6, 2012 in connection with  
5 PLAINTIFF’S MOTION FOR DISCOVERY SANCTIONS. Pursuant to Civil Local Rule 79-  
6 5(d) and this Court’s Standing Order, Plaintiff has: (1) reviewed and complied with the Court’s  
7 Standing Order, and (2) reviewed and complied with Civil Local Rule 79-5.

8 Plaintiff identifies the following documents from the Declaration of Steven A. Schwartz  
9 in Support of Plaintiff’s Motion for Discovery Sanctions that he proposes to be sealed:

- 10 • Ex. 2 (entire document) – This exhibit references material(s) that Defendant, Safeway  
11 Inc. (“Safeway”) marked “Highly Confidential – Attorneys’ Eyes Only,” pursuant to  
12 the Stipulated Protective Order, Dkt. No. 57.
- 13 • Ex. 3 (entire document) – This exhibit references material(s) that Defendant, Safeway  
14 Inc. (“Safeway”) marked “Highly Confidential – Attorneys’ Eyes Only,” pursuant to  
15 the Stipulated Protective Order, Dkt. No. 57.
- 16 • Ex. 4 (entire document) – This exhibit contains information that Safeway marked  
17 “Highly Confidential – Attorneys’ Eyes Only,” pursuant to the Stipulated Protective  
18 Order, Dkt. No. 57.
- 19 • Ex. 5 (entire document) – This exhibit contains information that Safeway marked  
20 “Highly Confidential – Attorneys’ Eyes Only,” pursuant to the Stipulated Protective  
21 Order, Dkt. No. 57.
- 22 • Ex. 7 (entire document) – This exhibit contains information that Safeway marked  
23 “Highly Confidential – Attorneys’ Eyes Only,” pursuant to the Stipulated Protective  
24 Order, Dkt. No. 57.
- 25 • Ex. 8 (entire document) – This exhibit contains information that Safeway marked  
26 “Highly Confidential – Attorneys’ Eyes Only,” pursuant to the Stipulated Protective  
27 Order, Dkt. No. 57.

- 1     • Ex. 9 (entire document) – This exhibit contains information that Safeway marked  
2         “Highly Confidential – Attorneys’ Eyes Only,” pursuant to the Stipulated Protective  
3         Order, Dkt. No. 57.
- 4     • Ex. 10 (entire document) – This exhibit contains information that Safeway marked  
5         “Highly Confidential – Attorneys’ Eyes Only,” pursuant to the Stipulated Protective  
6         Order, Dkt. No. 57.
- 7     • Ex. 11 (entire document) – This exhibit contains information that Safeway marked  
8         “Highly Confidential – Attorneys’ Eyes Only,” pursuant to the Stipulated Protective  
9         Order, Dkt. No. 57.
- 10    • Ex. 12 (entire document) – This exhibit contains information that Safeway marked  
11         “Highly Confidential – Attorneys’ Eyes Only,” pursuant to the Stipulated Protective  
12         Order, Dkt. No. 57.
- 13    • Ex. 13 (entire document) – This exhibit contains information that Safeway marked  
14         “Highly Confidential – Attorneys’ Eyes Only,” pursuant to the Stipulated Protective  
15         Order, Dkt. No. 57.
- 16    • Ex. 14 (entire document) – This exhibit contains information that Safeway marked  
17         “Highly Confidential – Attorneys’ Eyes Only,” pursuant to the Stipulated Protective  
18         Order, Dkt. No. 57.
- 19    • Ex. 15 (entire document) – This exhibit contains information that Safeway marked  
20         “Highly Confidential – Attorneys’ Eyes Only,” pursuant to the Stipulated Protective  
21         Order, Dkt. No. 57.
- 22    • Ex. 16 (entire document) – This exhibit contains information that Safeway marked  
23         “Highly Confidential – Attorneys’ Eyes Only,” pursuant to the Stipulated Protective  
24         Order, Dkt. No. 57.
- 25    • Ex. 17 (entire document) – This exhibit contains information that Safeway marked  
26         “Highly Confidential – Attorneys’ Eyes Only,” pursuant to the Stipulated Protective  
27         Order, Dkt. No. 57.

- 1     • Ex. 19 (entire document) – This exhibit contains information that Safeway marked  
2         “Highly Confidential – Attorneys’ Eyes Only,” pursuant to the Stipulated Protective  
3         Order, Dkt. No. 57.
- 4     • Ex. 21 (entire document) – This exhibit references material(s) that Safeway marked  
5         “Highly Confidential – Attorneys’ Eyes Only,” pursuant to the Stipulated Protective  
6         Order, Dkt. No. 57.
- 7     • Ex. 23 (entire document) – This exhibit contains information that Safeway marked  
8         “Highly Confidential – Attorneys’ Eyes Only,” pursuant to the Stipulated Protective  
9         Order, Dkt. No. 57.
- 10    • Ex. 24 (entire document) – This exhibit contains information that Safeway marked  
11         “Highly Confidential – Attorneys’ Eyes Only,” pursuant to the Stipulated Protective  
12         Order, Dkt. No. 57.
- 13    • Ex. 27 (entire document) – This exhibit contains information that Safeway marked  
14         “Highly Confidential – Attorneys’ Eyes Only,” pursuant to the Stipulated Protective  
15         Order, Dkt. No. 57.
- 16    • Ex. 28 (entire document) – This exhibit contains information that Safeway marked  
17         “Highly Confidential – Attorneys’ Eyes Only,” pursuant to the Stipulated Protective  
18         Order, Dkt. No. 57.
- 19    • Ex. 29 (entire document) – This exhibit contains information that Safeway marked  
20         “Highly Confidential – Attorneys’ Eyes Only,” pursuant to the Stipulated Protective  
21         Order, Dkt. No. 57.
- 22    • Ex. 30 (entire document) – This exhibit contains information that Safeway marked  
23         “Highly Confidential – Attorneys’ Eyes Only,” pursuant to the Stipulated Protective  
24         Order, Dkt. No. 57.
- 25    • Ex. 32 (entire document) – This exhibit contains detailed billing information/entries  
26         of Plaintiff’s counsel that Plaintiff marked as “Highly Confidential-Attorneys’ Eyes  
27         Only,” pursuant to the Stipulated Protective Order, Dkt. No. 57. Plaintiff has  
28         consulted with counsel for Safeway, who have confirmed that Safeway does not

oppose Plaintiff's request to seals his counsel's time records. Such sealing is legally appropriate and authorized. *See In re: Cathode Ray Tube (Crt) Antitrust Litig.*, No. 1917, 2016 WL 1072097, at \*3 (N.D. Cal. Mar. 17, 2016, J. Tigar) (approving of *in camera* review of billing records and filing of the same under seal).

- Ex. 33 (entire document) – This exhibit contains detailed billing information/entries of Plaintiff's counsel that Plaintiff marked as "Highly Confidential-Attorneys' Eyes Only," pursuant to the Stipulated Protective Order, Dkt. No. 57. Plaintiff has consulted with counsel for Safeway, who have confirmed that Safeway does not oppose Plaintiff's request to seals his counsel's time records. Such sealing is legally appropriate and authorized. *See In re: Cathode Ray Tube (Crt) Antitrust Litig.*, No. 1917, 2016 WL 1072097, at \*3 (N.D. Cal. Mar. 17, 2016, J. Tigar) (approving of *in camera* review of billing records and filing of the same under seal).
- Ex. 34 (entire document) – This exhibit contains detailed billing information/entries of Plaintiff's counsel that Plaintiff marked as "Highly Confidential-Attorneys' Eyes Only," pursuant to the Stipulated Protective Order, Dkt. No. 57. Plaintiff has consulted with counsel for Safeway, who have confirmed that Safeway does not oppose Plaintiff's request to seals his counsel's time records. Such sealing is legally appropriate and authorized. *See In re: Cathode Ray Tube (Crt) Antitrust Litig.*, No. 1917, 2016 WL 1072097, at \*3 (N.D. Cal. Mar. 17, 2016, J. Tigar) (approving of *in camera* review of billing records and filing of the same under seal).
- Ex. 35 (entire document) – This exhibit contains detailed billing information/entries of Plaintiff's counsel that Plaintiff marked as "Highly Confidential-Attorneys' Eyes Only," pursuant to the Stipulated Protective Order, Dkt. No. 57. Plaintiff has consulted with counsel for Safeway, who have confirmed that Safeway does not oppose Plaintiff's request to seals his counsel's time records. Such sealing is legally appropriate and authorized. *See In re: Cathode Ray Tube (Crt) Antitrust Litig.*, No. 1917, 2016 WL 1072097, at \*3 (N.D. Cal. Mar. 17, 2016, J. Tigar) (approving of *in camera* review of billing records and filing of the same under seal).

- 1     • Ex. 36 (entire document) – This exhibit contains detailed billing information/entries  
2         of Plaintiff’s counsel that Plaintiff marked as “Highly Confidential-Attorneys’ Eyes  
3         Only,” pursuant to the Stipulated Protective Order, Dkt. No. 57. Plaintiff has  
4         consulted with counsel for Safeway, who have confirmed that Safeway does not  
5         oppose Plaintiff’s request to seals his counsel’s time records. Such sealing is legally  
6         appropriate and authorized. *See In re: Cathode Ray Tube (Crt) Antitrust Litig.*, No.  
7         1917, 2016 WL 1072097, at \*3 (N.D. Cal. Mar. 17, 2016, J. Tigar) (approving of *in  
camera* review of billing records and filing of the same under seal).

9              Plaintiff identifies the following documents from the Declaration of James C. Shah in  
10              Support of Plaintiff’s Motion for Discovery Sanctions that he proposes to be sealed:

- 11     • Ex. 2 (entire document) – This exhibit contains detailed billing information/entries of  
12         Plaintiff’s counsel that Plaintiff marked as “Highly Confidential-Attorneys’ Eyes  
13         Only,” pursuant to the Stipulated Protective Order, Dkt. No. 57. Plaintiff has  
14         consulted with counsel for Safeway, who have confirmed that Safeway does not  
15         oppose Plaintiff’s request to seals his counsel’s time records. Such sealing is legally  
16         appropriate and authorized. *See In re: Cathode Ray Tube (Crt) Antitrust Litig.*, No.  
17         1917, 2016 WL 1072097, at \*3 (N.D. Cal. Mar. 17, 2016, J. Tigar) (approving of *in  
camera* review of billing records and filing of the same under seal).
- 19     • Ex. 3 (entire document) – This exhibit contains detailed billing information/entries of  
20         Plaintiff’s counsel that Plaintiff marked as “Highly Confidential-Attorneys’ Eyes  
21         Only,” pursuant to the Stipulated Protective Order, Dkt. No. 57. Plaintiff has  
22         consulted with counsel for Safeway, who have confirmed that Safeway does not  
23         oppose Plaintiff’s request to seals his counsel’s time records. Such sealing is legally  
24         appropriate and authorized. *See In re: Cathode Ray Tube (Crt) Antitrust Litig.*, No.  
25         1917, 2016 WL 1072097, at \*3 (N.D. Cal. Mar. 17, 2016, J. Tigar) (approving of *in  
camera* review of billing records and filing of the same under seal).
- 27     • Ex. 4 (entire document) – This exhibit contains detailed billing information/entries of  
28         Plaintiff’s counsel that Plaintiff marked as “Highly Confidential-Attorneys’ Eyes

Only," pursuant to the Stipulated Protective Order, Dkt. No. 57. Plaintiff has consulted with counsel for Safeway, who have confirmed that Safeway does not oppose Plaintiff's request to seal his counsel's time records. Such sealing is legally appropriate and authorized. *See In re: Cathode Ray Tube (Crt) Antitrust Litig.*, No. 1917, 2016 WL 1072097, at \*3 (N.D. Cal. Mar. 17, 2016, J. Tigar) (approving of *in camera* review of billing records and filing of the same under seal).

In addition, Plaintiff states that no person or entity other than Safeway and Plaintiff, both ECF filers, has designated any documents sought to be sealed as confidential. As such, Plaintiff has not served the instant motion on any non-party or any party not registered for ECF.

Pursuant to Civil Local Rule 79-5(d), Safeway may file a motion to seal and a declaration explaining why it believes the designated information is, in fact, confidential and sealable. In the event that Safeway fails to file a responsive declaration and motion as required within four (4) days after the conditionally sealed document is lodged with the Court, pursuant to Civil Local Rule 79-5(d), the documents should be unsealed, filed, and made part of the public record.

This application is also based on the material set forth in the Declaration of Timothy N. Mathews and the Proposed Order filed concurrently herewith.

Dated: April 6, 2016

SHEPHERD, FINKELMAN, MILLER  
& SHAH, LLP

BY: /s/James C. Shah  
James C. Shah (SBN 260435)  
Rose F. Luzon (SBN 221544)  
SHEPHERD, FINKELMAN, MILLER &  
SHAH, LLP  
401 West A Street, Suite 2350  
San Diego, CA 92101  
Telephone: (619) 235-2416  
Facsimile: (866) 300-7367  
jshah@sfmslaw.com  
rluzon@sfmslaw.com

Steven A. Schwartz (*pro hac vice*)  
Timothy N. Mathews (*pro hac vice*)  
CHIMICLES & TIKELLIS, LLP  
361 West Lancaster Avenue

PLAINTIFF'S ADMIN. MOTION RE  
SEALING OF DOCUMENTS  
3:11-cv-03003 JST (JCS)

1 Haverford, PA 19041  
2 Telephone: (610) 642-8500  
3 Facsimile: (610) 649-3633  
4 SteveSchwartz@chimicles.com  
5 TimothyMathews@chimicles.com  
6  
7  
8

9 Scott R. Shepherd (*pro hac vice*)  
10 SHEPHERD, FINKELMAN, MILLER &  
11 SHAH, LLP  
12 35 E. State Street  
13 Media, PA 19063  
14 Telephone: (610) 891-9880  
15 Facsimile: (866) 300-7367  
16 sshepherd@sfmslaw.com  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

*Attorneys for Plaintiff and the Class*